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December 4, 1996

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Stop Code - 1170
Washington, D.C. 20554

Re: MM Docket No. 87-268

Dear Mr. Caton:

Transmitted herewith on behalf of WWWB-TV Company is an original and five copies of Comments of WWWB-TV Company on the Sixth Notice of Proposed Rule Making in the matter of advanced television systems and their impact upon the existing television broadcast service.

If any questions should arise during the course of your consideration of these comments, it is respectfully requested that you communicate with this office.

Sincerely,

**BROOKS, PIERCE, McLENDON,
HUMPHREY & LEONARD**


Mark J. Prack
Counsel to WWWB-TV Company

MJP:kws
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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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*Federal Communications Commission
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In the Matter of)	
)	
Advanced Television Systems)	
and their Impact upon the)	MM Docket No. 87-268
Existing Television Broadcast)	
Service)	

To: The Commission

**COMMENTS OF WWWB-TV COMPANY ON THE SIXTH
NOTICE OF PROPOSED RULE MAKING**

WWWB-TV Company, licensee of WWWB(TV), (hereinafter "WWWB"), Lakeland, Florida, by its attorneys, hereby submits these comments in response to the Sixth Notice of Proposed Rulemaking in the above-referenced docket.

WWWB generally concurs in the comments filed on behalf of the Joint Broadcasters. However, WWWB believes that the channel allotments proposed for WWWB in both the Joint Broadcasters Modified Table and the FCC Draft Table of Allotments with regard to the DTV channel allotment should be modified.

WWWB is authorized to operate on UHF Channel 32 with a maximum effective radiated power of 5000 kilowatts and antenna radiation center height above average terrain of 331 meters. The station's transmitter site is located just over 20 miles from a cluster of towers known as the "Riverview Antenna Farm" (hereinafter the "Antenna Farm"). Most of the television stations which serve the greater Tampa-St. Petersburg-Sarasota market have their transmitters located at

the Antenna Farm. WWWB has been unable to relocate its transmitter to the Antenna Farm because of a 20-mile NTSC spacing taboo for a station which is already located at the Antenna Farm.

With the introduction of DTV, WWWB earnestly desires to eliminate some of the handicaps it faces in its current operation. These problems occur because most of the receiving antennas in the Tampa market are directed towards the Antenna Farm. As noted, WWWB has been prevented by regulatory restrictions from relocating its transmitter site to the Antenna Farm. Furthermore, the major population growth in the Tampa market has been along the Gulf of Mexico coastal areas. The relocation of WWWB's transmitter to the Antenna Farm would help it to serve these new populations better without adversely affecting its coverage to Lakeland, its city of license. The present WWWB transmitter site and the Antenna Farm are almost equidistant from Lakeland.

The FCC's Draft Allotment Table proposes UHF Channel 33 for DTV use by WWWB. Since Channel 33 is a first adjacent channel to the channel on which WWWB currently operates (32), operation by WWWB of its new DTV facility would not be permitted from the Antenna Farm under the minimum separation criteria proposed by the FCC for UHF NTSC/DTV adjacent channel combinations. Thus, WWWB would, once again, be deprived of the ability to relocate its facility to the Antenna Farm under the proposed DTV allotment table.

Under the Joint Broadcaster's Modified Allotment Table, UHF Channel 63 has been assigned for DTV use by WWWB. Since Channel 63 is not an adjacent channel, WWWB would be able to operate from the Antenna Farm pursuant to a modification of the Table of Allotments under the procedure proposed by the FCC. But since Channel 63 is outside the proposed FCC

core spectrum, and in the event the Commission adopts the proposed core spectrum approach, WWWB's DTV operation on Channel 63 would, ultimately, have to revert back to a core channel. Thus, even though the existing Channel 32 could possibly be used by WWWB, a new facility will have to be built to operate from the Antenna Farm. There is obviously great uncertainty about the eventual allotment of a DTV channel within the core spectrum and the consequent double channel shift. Such a process would create a significant disruption in viewing habits which would be inconsistent with the public interest.

WWWB proposes that its DTV allotment be made within the core spectrum with a footnoted condition to the Table of Allotments permitting or mandating WWWB's operation from the Antenna Farm. Both the FCC's and the Joint Broadcaster's proposed tables allot Channel 34 to Television Station WGOX, Inverness, Florida which is presently authorized to operate on Channel 64. According to the FCC database, as of November 14, 1996, Television Station WGOX was not in operation. Further, a notation to the entry for WGOX indicated that the outstanding construction permit BPCT-931220KF was canceled on November 16, 1994. Relying on this information, WWWB believes that a DTV allocation for WGOX is not appropriate. WWWB proposes that Channel 34 be paired for DTV use by WWWB. In that manner, a non-adjacent core spectrum channel could be specified for WWWB's DTV operation which would permit WWWB's operation from the Antenna Farm from the very beginning of DTV operation. If WGOX is later found to be operational, then Channel 33 which has been proposed for WWWB by the FCC could be allotted to WGOX.

As noted in the attached Engineering Statement of Bernard R. Segal, WWWB's use of DTV Channel 34 would result in a preferential arrangement of allotments.

CONCLUSION

WWWB urges the Commission to specify Channel 34 as its paired DTV allotment with an appropriate condition permitting its operation from the Antenna Farm. WWWB also urges the Commission to adopt rules which permit the initial construction of DTV stations to be made at a greater distance from the reference coordinates than the three-mile limit currently proposed.

Respectfully submitted,

WWWB-TV COMPANY

By: 

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December 3, 1996

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**ENGINEERING STATEMENT
PREPARED FOR
WWWB-TV COMPANY
LAKELAND, FLORIDA
MM DOCKET NUMBER 87-268**

The instant engineering statement has been prepared on behalf of WWWB-TV Company (hereafter, WWWB-TV), the licensee of television station WWWB, Lakeland, Florida, and is in support of its Comments in MM Docket Number 87-268 concerning Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service.

While WWWB-TV generally endorses the positions espoused in the Broadcasters Caucus Comments, it finds that an improvement over the Broadcasters Caucus modified DTV table and the FCC Draft Table of Allotments can be made insofar as station WWWB is concerned. This statement supports a request for a change in the channel allotment for DTV use for WWWB.

Bernard R. Segal, P.E.
Consulting Engineer
Washington, DC

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WWWB is authorized for operation on UHF channel 32 with maximum effective radiated power of 5000 kW and antenna radiation center height above average terrain of 331 meters. The transmitter site is located just over 20 miles from the cluster of towers locally known as the "Riverview Antenna Farm" (hereafter, the Farm). The Farm is the location for most of the television stations serving the greater Tampa-St. Petersburg-Sarasota television market. Lakeland is part of that market. WWWB-TV has been prevented from relocating WWWB to the Farm because of a 20-mile NTSC taboo involving a station already located at the Farm.

With the advent of DTV, the same separation constraints as for NTSC are no longer applicable and WWWB-TV seeks to eliminate some of the handicaps for its DTV operation that currently are experienced by its NTSC operation. Specifically, because most of the receiving antennas in the market are directed toward the Farm, a substantial receiving antenna discrimination problem results for WWWB. Additionally, the major population growth in the market has been along the Gulf of Mexico coastal areas and a site relocation for

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WWWB to the antenna Farm would permit better coverage to those areas while yet not sacrificing coverage to the principal community, Lakeland, since the present WWWB site and the Farm are almost the same distance from Lakeland.

The FCC's Draft Table proposes UHF channel 33 for DTV use for WWWB. Channel 33 is first adjacent to the present WWWB channel 32 frequency, and operation by WWWB with a DTV facility at the Farm would not be permitted under the minimum separation criteria proposed for UHF NTSC/DTV adjacent channel combinations.

The Broadcasters Caucus plan specifies UHF channel 63 for use for DTV for station WWWB. The nonadjacent channel configuration suggested by the Broadcasters Caucus would permit ultimate WWWB operation at the Farm pursuant to a modification of the Table of Allotments under the procedure proposed by the FCC. Since channel 63 is outside of the proposed FCC core spectrum, there is a concern that if the FCC core spectrum approach is adopted, any DTV transitional operation on channel 63 would then have to revert to

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another channel within the core spectrum. Presumably, the existing channel 32 could be employed, but in order to operate from the Farm, a new facility would have to be built. The double channel shift and the associated disruption of viewing habits are not desirable. It would be best if the initial DTV allotment for WWWB were within the proposed core spectrum and a footnoted condition to the Table of Allotments permitted, or mandated, WWWB operation from the Farm.

The instant statement suggests an alternative which is believed resolves the dilemma for WWWB by both the FCC and Broadcasters Caucus DTV channel proposals.

Both the FCC and Broadcasters Caucus plans propose the use of channel 34 for DTV use for station WGOX, Inverness, channel 64. According to the FCC TV database, updated as of November 14, 1996, station WGOX was not operational. Also, a notation on the entry for WGOX indicated that the outstanding construction permit, BPCT-931220KF, was cancelled on

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November 16, 1994. Based on that information, a DTV reservation for WGOX does not appear to be appropriate.¹ Accordingly, the suggestion is that channel 34, instead of channel 32, be paired for DTV use for WWWB. In that manner, a nonadjacent core spectrum channel could be specified which, with appropriate conditions, permits WWWB operation from the Farm at the outset. If it develops that the WGOX C.P. is still alive, then the suggestion herein is that the channel 33 DTV proposal for WWWB, instead be shifted for use by WGOX and that WWWB be permitted to use channel 34.

If the final Table of Allotments specified channel 34 for DTV use for WWWB, but with an appropriate footnoted condition for its use at the Farm (reference coordinates: 27° 50' 32" NL, 82° 15' 46" WL), the closest cochannel station would be NTSC station WTVX, Fort Pierce, channel 34. That station

¹ An application is pending in BPCT-960711LK by Marri Broadcasting, L.P. for a new facility at Inverness on channel 64. The proposal requests waiver of the FCC's current freeze on the acceptance of applications for construction permit which do not meet certain freeze-related criteria. Thus, the Marri Broadcasting, L.P. proposal is not eligible for a paired DTV allotment under established FCC criteria.

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operates with maximum effective radiated power of 5000 kW and antenna radiation center height above average terrain of 454 meters. The cochannel separation would be 201.6 kilometers (125 miles) which would be essentially the same condition that would prevail for station WTTA, St. Petersburg, DTV channel 25 and WPBF, Tequesta, NTSC channel 25. The WTVX, channel 34, and WPBF, channel 25, towers are very close to one another.

WTTA operates from a tower at the Farm (site coordinates: 27° 50' 32" NL, 82° 15' 46" WL) on NTSC channel 38. An application is pending for WTTA operation at the same site with effective radiated power of 5000 kW and antenna radiation center height above average terrain of 438 meters. The channel 25 DTV operation would be cochannel with the NTSC operation of WPBF, Tequesta, which operates from a tower that is at substantially the same distance from the Farm as for WTVX, on channel 34. The WPBF tower is 201.2 kilometers from the WTTA tower at the Farm. WPBF operates with maximum effective radiated power of 5000 kW and antenna radiation center height above average terrain of 453 meters. The WTVX and WPBF operations are virtually

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identical and the conditions that would prevail for WWWB on channel 34 at the Farm would be substantially the same as would prevail for WTTA.

Based on the FCC's Draft Table, WWWB's current service and prospective digital service (based on 100% area replication)² are to 2,004,000 persons. The Table shows, also, for the prospective DTV channel 25 operation for WTTA, identical NTSC and DTV populations served, i.e., 2,920,000 persons. Assuming comparable facilities for WWWB at the Farm as for WTTA, the expected population improvement for WWWB by relocating to the Farm would be to 916,000 persons, or a 46% improvement over the present condition.³

² The area match is shown to be 100%. However, a comparison of populations served is more meaningful since the computer algorithms employed by the FCC and the Broadcasters Caucus do not draw a distinction between land area and water area. In the instances of stations located along coastal areas, such as for stations in the St. Petersburg, Tampa-Sarasota market, where the predicted Grade B contours include areas over the Gulf of Mexico, the replication figures based on area matches, are not as meaningful as those related to population.

³ First adjacent channel concerns (Ch. 33 and Ch. 35) for WWWB, also, would not be a problem. The FCC's Table shows that channel 35 is proposed for DTV use for WFTX, Cape Coral. WFTX is located 124.7 km from the Farm. The FCC Draft Table shows that a similar configuration with comparable parameters and with 100% population replication would prevail for the first adjacent channel situation involving DTV, channel 54, Tampa (WFLA-TV) and DTV, channel 55, Fort Myers (WINK-TV). No channel 33 concerns arise for the channel 34 DTV proposal for Lakeland.

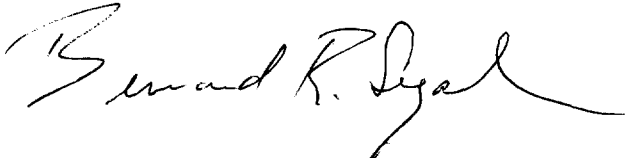
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In summary, WWWB-TV urges the Commission to specify channel 34 as the paired DTV allotment for WWWB with an appropriate condition for its use at the Farm, and urges, also, that the FCC's adopted rules governing DTV permit the initial construction to be made at a site at a greater distance than the three-mile limit currently proposed.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 2, 1996.



Bernard R. Segal, P.E.